

UNITED STATES DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
WASHINGTON, DC

In the Matter of:

AIR ST. THOMAS

FAA Order No. 97-29

Served: October 1, 1997

Docket No. CP97SO0007

ORDER DISMISSING APPEAL

The Rules of Practice require a party who wishes to appeal the initial decision to file a notice of appeal within 10 days. 14 C.F.R. § 13.233(a). Although the law judge issued his written decision on May 29, 1997, Respondent Air St. Thomas failed to file a notice of appeal until September 6, 1997. Thus, Respondent's notice of appeal is late. Moreover, Respondent has failed to show good cause for the lateness of its notice of appeal.

THEREFORE, IT IS ORDERED THAT:

Respondent's appeal is dismissed.¹

JANE F. GARVEY, ADMINISTRATOR
Federal Aviation Administration



VICKI S. LEEMON²
Manager, Adjudication Branch

Issued this 1st day of October, 1997.

¹ Respondent has the right to file a petition for reconsideration of this order. 14 C.F.R. § 13.234. If Respondent chooses to file a petition for reconsideration, it must file its petition no later than November 5, 1997. The petition for reconsideration should be sent to the Federal Aviation Administration, 800 Independence Avenue, SW, Room 924A, Washington, DC 20591, Attention: Appellate Docket Clerk.

² Issued under authority delegated to the Chief Counsel and the Assistant Chief Counsel for Litigation by Memorandum dated October 27, 1992, under 49 U.S.C. § 322(b) and 14 C.F.R. § 13.202 (see 57 Fed. Reg. 58,280 (1992)) and redelegated by the Assistant Chief Counsel for Litigation to the Manager, Adjudication Branch, by Memorandum dated August 6, 1993.